

August 31, 2006

The Honorable Larry Phillips
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember Phillips:

I am pleased to submit to you recommended changes to the County Council's Proposed Ordinance 2006-0113 relating to home-based businesses based on the public review my staff conducted at the request of the Growth Management and Natural Resources Committee (committee). The changes are based on public comments received during July and August when staff presented the first package of code amendments in accordance with the 2005 Rural Economic Strategies to the public. If council adopts these changes as part of its ordinance, it will be easier for rural residents to establish and operate a small home-based business.

There are two main attachments to this letter: (1) a proposed amendment to Proposed Ordinance 2006-0113 and (2) a summary table that outlines the proposed changes along with the current law and associated public comments.

The public involvement process that staff conducted is detailed in my letter to you dated August 31, 2006 with the resource-based code amendments.

Recommended Changes to Ordinance 2006-0113

The council's Growth Management and Natural Resources Committee requested my staff to include in its public review process the committee's proposed changes relating to home occupations and home industries. The Office of Business Relations and Economic Development included the committee's proposals it circulated for public review. We heard that the rural community wants more flexibility in developing and operating home-based business but that these businesses need to be of a size and scale that is compatible with rural residential areas. Based on the review and evaluation of public comments received, I suggest that the council consider the following changes to home occupation and home industry standards. These changes are proposed as an amendment to Proposed Ordinance 2006-0113 and attached

to this letter. The following is a summary of the changes I am proposing with respect to home occupations and home industries.

Indoor area devoted to home occupation

Many home businesses use accessory buildings for part of their business, such as an office or a treatment room. Existing regulations limit the use of these accessory buildings to storage. The committee's amendment would have allowed unlimited use of accessory buildings for the home occupation, which proved to be a concern to many of those who commented on this proposal. I am proposing to allow these accessory buildings to be used for all activities related to the home occupation, but to limit the area based on the size of the lot.

Outdoor area devoted to home occupation

Existing regulations allow use of outdoor areas for home occupations in RA zones, but limits the area to one percent of the lot, up to a maximum of 5,000 square feet, and requires this outdoor storage to be screened. The committee modified the allowable area by establishing a minimum outdoor area that could always be used and then increasing that allowable area in increments based on lot size. I agree with these changes and have included them in my proposal. The committee also recommended eliminating the screening requirement, both changes that I am not recommending. Maintaining the screening requirement received considerable support in public comments and my proposal would retain it.

Number of employees

I support the committee's change to increase the number of non-resident employees on site, but suggest adding a clarification that the limit is for all employees reporting to the site regardless of whether they are full time or part time employees. My proposed amendment also clarifies the status of employees who never visit the premises of the home occupation. Since they have no impact on the surrounding property, there is no reason to limit their number.

Services to patrons

I recommend that patrons to home occupations be required to make an appointment, consistent with the existing code. We heard concerns from the public regarding increased traffic to-and-from the business in these predominately residential zones if patrons were not required to arrive by appointment.

Parking

Home-based businesses need to provide sufficient parking for non-resident employees visiting the site. I have included changes to ensure that additional parking is available if there is more than one non-resident employee.

Sales

Consistent with the existing code, I recommend that sales be limited to patrons by appointment or by mail order, telephone, and internet sales with delivery to off-site locations. The committee's amendment would have limited what home occupations are allowed to sell. There were some concerns from the public that this change would have unnecessarily restricted the kinds of businesses allowed as home occupations.

Vehicles

I agree with the committee that a home business owner needs more flexibility in determining individual business equipment needs. At the same time, I am cognizant of the impact this equipment can have on surrounding neighbors. The committee recommended that an increasing number of vehicles be allowed as part of the home occupation based on the size of the lot. Experience with the existing limitations has shown that these types of regulations are difficult to implement. I suggest eliminating existing limits on the number and size of vehicles and heavy equipment allowed on a lot. In the place of limits on vehicles, my proposal would require business vehicles to be parked or stored in the outdoor storage areas or indoor areas devoted to the home occupation. I believe this will provide a reasonable limit on the number and size of vehicles and heavy equipment while providing home-based businesses flexibility in how to manage their operations.

Home Industries

The committee proposal and the changes I recommend make it easier to operate a home occupation in King County. These proposed changes begin to blur the line between a home occupation, which is a permitted use, and a home industry, which is a conditional use. Therefore, I propose corresponding changes to the home industry classification. I suggest that the amount of floor area of accessory buildings and the amount of outdoor area devoted to the home industry be established through the conditional use. In addition, I propose increasing to five the number of non-resident employees allowed in a home industry.

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If you have any questions, please contact Ray Moser, Manager, Economic Development Section in the Office of Business Relations and Economic Development at 206-205-0707.

Thank you for your consideration.

Sincerely,

Ron Sims

King County Executive

Enclosures

cc: King County Councilmembers

ATTN: Ross Baker, Chief of Staff

Shelley Sutton, Policy Staff Director

Megan Smith, Lead Staff, GMUA Committee

Anne Noris, Clerk of the Council

Bob Cowan, Director, Office of Management and Budget

Stephanie Warden, Director, Department of Development and Environmental Services

Pam Bissonnette, Director, Department of Natural Resources and Parks

George Northcroft, Director, Office of Business Relations and Economic Development
(BRED)

Ray Moser, Manager, Economic Development Section, BRED

Karen Wolf, Senior Executive Policy Advisor, King County Executive Office